

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN DE LEON,

Plaintiff,

—against—

ATTORNEY GENERAL WILLIAM
BARR,

Defendants.

ORDER

19 Civ. 7600 (ER)

RAMOS, D.J.:

De Leon filed a complaint on August 14, 2019. Doc. 1. On April 6, 2020, the Court ordered De Leon to file a status report by May 1, 2020, warning that failure to respond would “risk having this action dismissed.” Doc. 6 (citing Fed. R. Civ. P. 4(m)). For the below reasons, the Court dismisses De Leon’s action for failure to execute service under Federal Rule of Civil Procedure 4(m).

“If a defendant is not served within 90 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff — *must* dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m) (emphasis added).

Given that nearly a year has passed since the filing of the complaint in this action, and given De Leon has failed to respond to the Court’s warning of the consequences of failure to serve or provide good cause for the lack of service without response, the Court

DISMISSES De Leon's action without prejudice. The Clerk of Court is respectfully directed to terminate any pending motions and to close the case.

It is SO ORDERED.

Dated: July 24, 2020
New York, New York



EDGARDO RAMOS, U.S.D.J.